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DATE MAILED: 12/03/2004

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/810,247	03/26/2004	Vernon Joseph Brabec	1010-0006-USA	9454	
42292	7590 12/03/2004		EXAM	EXAMINER	
LAW OFFICE OF JEFFREY M. WEINICK, LLC 615 WEST MT. PLEASANT AVENUE			PHAN, DA	PHAN, DAO LINDA	
LIVINGSTON, NJ 07039		L	ART UNIT	PAPER NUMBER	
	,	• 4	3662		

Please find below and/or attached an Office communication concerning this application or proceeding.

		T				
✓	Application No.	Applicant(s)	<u> </u>			
	10/810,247	BRABEC ET AL.	D			
○ Office Action Summary	Examiner	Art Unit				
	Dao L. Phan	3662				
The MAILING DATE of this communication app Period for Reply	pears on the cover sheet with the c	orrespondence ad	dress			
A SHORTENED STATUTORY PERIOD FOR REPL THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.1 after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is less than thirty (30) days, a repl - If NO period for reply is specified above, the maximum statutory period - Failure to reply within the set or extended period for reply will, by statute Any reply received by the Office later than three months after the mailin earned patent term adjustment. See 37 CFR 1.704(b).	136(a). In no event, however, may a reply be tin by within the statutory minimum of thirty (30) day will apply and will expire SIX (6) MONTHS from the cause the application to become ABANDONE	nely filed s will be considered timely the mailing date of this co D (35 U.S.C. § 133).				
Status						
1) Responsive to communication(s) filed on 26 N	<u>farch 2004</u> .					
2a) ☐ This action is <b>FINAL</b> . 2b) ☑ This	s action is non-final.					
3) Since this application is in condition for allowa	nce except for formal matters, pro	secution as to the	merits is			
closed in accordance with the practice under I	Ex parte Quayle, 1935 C.D. 11, 45	53 O.G. 213.				
Disposition of Claims						
4) Claim(s) 1-29 is/are pending in the application						
4a) Of the above claim(s) is/are withdra			•			
5)⊠ Claim(s) <u>27-29</u> is/are allowed.						
6) Claim(s) 1,3-8,10-13,15-17,19-23,25 and 26 is/are rejected.						
7) Claim(s) <u>2,9,14,18 and 24</u> is/are objected to.	·					
8) Claim(s) are subject to restriction and/o	or election requirement.					
Application Papers		1				
9) The specification is objected to by the Examine	er.					
D) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.						
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).						
11)☐ The oath or declaration is objected to by the Ex	xaminer. Note the attached Office	Action or form PT	O-152.			
Priority under 35 U.S.C. § 119						
12) Acknowledgment is made of a claim for foreign	ı priority under 35 U.S.C. § 119(a)	)-(d) or (f).				
· ·	a) ☐ All b) ☐ Some * c) ☐ None of:					
<ul> <li>1. Certified copies of the priority documents have been received.</li> <li>2. Certified copies of the priority documents have been received in Application No</li> </ul>						
3. Copies of the certified copies of the prior	• •		Stage			
application from the International Burea		o in this National	Stage			
* See the attached detailed Office action for a list	` ' ' '	ed.				
Attachment(s)						
Notice of References Cited (PTO-892)	4) Interview Summary	(PTO-413)				
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Da	ite				
B) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date	5) Notice of Informal P 6) Other:	atent Application (PTC	)-152)			

Application/Control Number: 10/810,247

Art Unit: 3662

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 2. Claims 1, 3-8, 10-13, 15-17, 19-23, 25-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Nichols (Pat. No. 6,433,866).

Nichols teaches a method and apparatus for resolving ambiguities in a satellite position navigation system including a base station located at a known location comprising a first satellite receiver 56 capable of receiving navigation satellite signals; a laser transmitter 58; a mobile station comprising a second satellite receiver 68 capable of receiving navigation satellite signals; a photodetection device 70 for receiving laser beams generated by laser transmitter; an arithmetic processing unit 58 for processing the laser in order to calculate an elevation angle (col 2, line 48-col 3, line 3; col 15, lines 16-21) between the laser transmitter on the base station and the mobile station; and a data processing unit 72 in communication with the first and second satellite receivers for determining the location of the mobile station, processing unit configured to resolve carrier phase ambiguities (col 7, line 64-col 8, line 13) based at least in part on the elevation angle.

- 3. Claims 2, 9, 14, 18, 24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
  - 4. Claims 27-29 are allowed.

Application/Control Number: 10/810,247 Page 3

Art Unit: 3662

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dao L. Phan whose telephone number is (703)306-4167. The examiner can normally be reached on M-F 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tarcza Thomas can be reached on (703)306-4171. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PATENT EXAMINER